

11-23-01

BOX 529

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11/16/01

JC682 U.S. PTO

PTO/SB/05 (08-00)

Please type a plus sign (+) inside this box ☒Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. MBX 041

First Inventor Stephanie Aquin

Title Production of Medium Chain Length  
Polyhydroxyalkanoates from Fatty Acid Biosynthetic

Express Mail Label No. EL 855357479

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages ]  
a. ☒ Unexecuted declaration (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 17 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☒ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☒ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other: .....

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: .....

Prior application information:

Examiner .....

Group / Art Unit: .....

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**18. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

Name	Patrea L. Pabst Holland & Knight LLP				
Address	2000 One Atlantic Center 1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3400
Country	USA	Telephone	404-817-8473	Fax	404-817-8588

Name (Print/Type)	Zhaoyang Li	Registration No. (Attorney/Agent)	46,872
Signature			Date November 16, 200

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application,  
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JC682 U.S. PTO

09/991152

11/16/01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 535

## Complete if Known

Application Number

Filing Date

11/16/2001

First Named Inventor

Stephanie Aquin

Examiner Name

Group Art Unit

Attorney Docket No.

MBX 041

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

50-1868

Deposit  
Account  
Name

Holland & Knight LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$)

101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

370.00

SUBTOTAL (1) (\$) 370.00

### 2. EXTRA CLAIM FEES

Total Claims	29	-20	=	9	x	Fee from below	9	=	81
Independent Claims	5	-3	=	2	x	42	=	84	
Multiple Dependent				51	=	165			

Large Entity Small Entity

Fee Fee Fee Fee Fee Description  
Code (\$) Code (\$)

103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 165.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee  
Code (\$) Code (\$)

Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	390	216	195	Extension for reply within second month
117	890	217	445	Extension for reply within third month
118	1,390	218	695	Extension for reply within fourth month
128	1,890	228	945	Extension for reply within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,240	241	620	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	600	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	240	126	240	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))
179		279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)

Zhaoyang Li

Registration No.  
(Attorney/Agent)

46,872

Complete (if applicable)

Telephone

404-817.8531

Signature

Date

11/16/2001

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephan Aquin, Oliver P. Peoples and Kristi D. Snell

Serial No.: Express Mail Label No.: EL 855357479 US

Filed: November 16, 2001 Date of Deposit November 16, 2001

For: PRODUCTION OF MEDIUM CHAIN LENGTH POLYHYDROXY-  
ALKANOATES FROM FATTY ACID BIOSYNTHETIC PATHWAYS

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

EXPRESS MAIL TRANSMITTAL LETTER  
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, applicants enclose for filing the attached patent application entitled "*Production of Medium Chain Length Polyhydroxy Alkanoates From Fatty Acid Biosynthetic Pathways*", which claims priority to U.S.S.N. 60/249,535 filed November 17, 2000. The application includes 1 page of Abstract, 36 pages of specification, 3 pages of claims, 6 sheets of informal drawings, 14 pages of Sequence Listing, and an unexecuted Declaration. An executed Declaration, and Assignment to Metabolix, Inc. and a Statement Under 37 C.F.R. § 3.73(b) will be submitted shortly. A check in the amount of \$535.00 to cover the filing fee is enclosed.

This application is entitled to small entity status under 37 C.F.R. § 1.27.

This application is being filed on November 16, 2001 by mailing the application to the Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express

Title: "Production of Medium Chain Length Polyhydroxyalkanoates From Fatty Acid Biosynthetic Pathways"  
Filed: November 16, 2001  
Express Mail Transmittal Letter for  
Patent Application and Certificate of Mailing  
Express Mail Label No. EL 855357479  
Date of Deposit: November 16, 2001

Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

This application contains nucleic acid and/or protein sequences as defined in 37 C.F.R. § 1.821-1.825. Pursuant to 37 C.F.R. § 1.821-1.825, applicants enclose a 3½" diskette containing a computer-readable form of the Sequence Listing for the above-identified application. A paper copy of the Sequence Listing is incorporated into the application.

I declare that the material on the diskette is identical to the paper copy of the Sequence Listing present in the above-identified application, and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

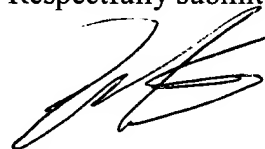
The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Order Account No. 501868. To facilitate this process, applicants have enclosed a duplicate of this letter.

Title: "Production of Medium Chain Length Polyhydroxyalkanoates From Fatty Acid Biosynthetic Pathways"  
Filed: November 16, 2001  
Express Mail Transmittal Letter for  
Patent Application and Certificate of Mailing  
Express Mail Label No. EL 855357479  
Date of Deposit: November 16, 2001

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.  
Holland & Knight, LLC  
One Atlantic Center  
1201 West Peachtree Street  
Suite 2000  
Atlanta, Ga 30309-3400

Respectfully submitted,



Zhaoyang Li  
Reg. No. 46,872

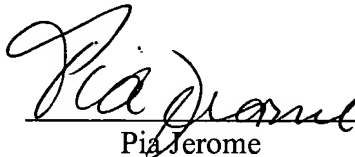
Date: November 16, 2001

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(404) 817-8473  
(404) 817-8588 Telefax

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, November 16, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 855357479 US, addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: November 16, 2001

  
P. Jerome

ATL1 #494468 v1